

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE

**INQUIRY INTO THE CRIMINAL CODE AMENDMENT (AGRICULTURAL PROTECTION) BILL
2019**

PUBLIC HEARING

12 AUGUST 2019

DEPARTMENT OF AGRICULTURE - QUESTIONS TAKEN ON NOTICE

PAGE 62-63:

Senator KIM CARR: So you were told by the government to produce the legislation because it's an election commitment. That's a perfectly reasonable explanation. I just want to be clear about this. So the Attorney-General's Department has not consulted with stakeholders; you relied on the government's instruction?

Ms Deininger: I might add to that. The Department of Agriculture, as part of its normal course of business, consults with a range of stakeholders from the farming sector and, in those regular consultations that are part of our normal course of business, this a matter that was discussed as part of those consultations.

Senator KIM CARR: So this was announced by the Liberal Party as an election commitment, and you consulted with the stakeholders when?

Ms Deininger: Sorry; I beg your pardon, I—

Senator KIM CARR: I will repeat the question. This was announced by the Liberal Party as an election commitment and you've said you then consulted with the various stakeholders. I'd like to know when.

Ms Deininger: I don't have the dates of when the discussions happened.

Senator KIM CARR: Could you please take that on notice? When did you consult with the stakeholders after the announcement of this initiative?

Answer:

The Department of Agriculture has regular discussions with a range of industry stakeholders on topics of mutual interest. Following the publication of the Aussie Farms map in January 2019, concerns about farm trespass were raised with the department by peak industry bodies, and raised in correspondence to ministers from individual farmers and industry bodies.

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Senator KIM CARR: It's not the question of public versus private land. I'm just wondering: in the consultation process, did this issue come up about, for instance, fishing or aquaculture—the issues about protection for aquacultural facilities?

Ms Deininger: My understanding is that aquaculture is covered by the bill.

Senator KIM CARR: That's not what the seafood industry say to us. They say:

... what protections are offered to fish processing facilities operating at sea, and to what extent do the proposed protections for terrestrial agriculture extend to wild-catch operations ...

Did that come up in your consultations?

Ms Deininger: I'm not aware that there were specific consultations on that point.

Senator KIM CARR: I see. But you did consult with the seafood industry, did you?

Ms Deininger: I'm happy to take that on notice.

Senator KIM CARR: If you would, please.

Answer:

No, the department did not conduct specific consultations on the draft bill with the seafood industry.

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Senator KIM CARR: Who commissioned the Futureye report?

Mr Blong: That report was commissioned by this department. It was perhaps in the first quarter of last year—some time ago.

Senator KIM CARR: So it is only a year old.

Mr Blong: I think it was published around April or May last year.

Senator KIM CARR: In Commonwealth parliamentary terms and in Commonwealth bureaucratic terms it is quite a recent report. How much did it cost?

Mr Blong: I'm afraid I'll have to take that on notice.

Answer:

The Futureye Pty Ltd consultancy report, *Australia's shifting mindset on farm animal welfare*, cost \$239,998.30 and was completed in May 2018.

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Senator KIM CARR: Would you agree that the report's findings were alarming?

Ms Deininger: We don't have a copy of the report to hand, so we're not really in a position to comment on the individual recommendations at this committee hearing.

Senator KIM CARR: Would you like to take that on notice? I am specifically interested to know whether the report's findings fed into the consideration of this legislation.

Ms Deininger: I'm happy to take that on notice.

Answer:

No.